

### REMARKS

Claims 1-30 remain pending in the present application. Applicant has amended Claims 1, 8-17, and 24 to clarify claimed subject matter and/or correct informalities. The specification and drawings support these claim amendments at least at [0024]-[0027] and in Figure 2. Therefore, these revisions introduce no new matter.

Claims 1-30 are for consideration upon entry of the present Amendment. Applicant requests favorable consideration of this response and allowance of the subject application based on the following remarks.

#### Statement of Substance of Interview

Applicant wishes to thank the Examiner for her participation in a telephonic conference of February 25, 2007. Applicant appreciates the Examiner's assistance in advancing the prosecution for this application.

During the interview, the claimed subject matter of the application and the Samuel reference, were discussed. In particular, Applicant presented arguments along the lines of those set forth below in the section entitled "Claim Rejections 35 U.S.C. §103".

In the interest of expediting allowance of the application, and without conceding the propriety of the rejection, Applicant proposed to amend each of the independent claims along the lines of currently amended Claim 1 below, to further clarify features of Applicant's subject matter. Applicant understood the Examiner to tentatively agree that the proposed amendments overcame the outstanding rejections based on the prior art cited in the office action.

The Examiner indicated that an updated search would be needed, and requested that the proposed amendments be presented in writing. Applicant is submitting the amendments in writing in the Response to the Office Action.

Accordingly, the independent claims have been amended herein, as discussed during the interview. Applicant submits that all of the pending claims are in condition for allowance. If any issues remain that would prevent the allowance of the application, Applicant requests that the Examiner contact the undersigned attorney to resolve the issues.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0144298 A1 to Samuel et al. (hereinafter "Samuel"), further in view of U.S. Patent Application Publication No. 2004/0019645 to Goodman et al. (hereinafter "Goodman"). Applicant respectfully traverses the rejection.

Without conceding the propriety of the stated rejections, and only to advance the prosecution of this application, Applicant has amended **independent Claim 1**, to clarify further features of the subject matter. **Independent Claim 1** as amended, recites:

A computer-implemented method for using an endpoint reference in a message for transmission to/from network nodes participating in a publish-subscribe ("pub-sub") system, the computer-implemented method comprising:

creating, in the message, an endpoint reference to identify an endpoint node in a the pub-sub system, the endpoint reference comprising an address of the endpoint node to which messages published by the pub-sub system will be sent by one or more nodes in the pub-sub system; and encapsulating two or more contexts into the endpoint reference, wherein

a first context in the endpoint reference referring to a first node or set of nodes of the pub-sub system and being decodable by the first node or set of nodes, but not decodable by one or more other nodes of the pub-sub system;

a second context in the endpoint reference referring to a second node or set of nodes of the pub-sub system and being decodable by the second node, but not decodable by one or more other nodes of the pub-sub system; and

whereby each context is transparent to its respective node or set of nodes and is selectively opaque to one or more other pub-sub system nodes.

### References Fail to Teach or Suggest Endpoint Reference, Context Transparent and Opaque

First, Applicant asserts the Office has failed to establish a *prima facie* case of obviousness. Samuel fails to teach or suggest “*each context is transparent to its respective node or set of nodes and is selectively opaque to one or more other pub-sub system nodes*”, as recited in Claim 1.

Samuel is directed to a method for distributing software that uses optimized messaging (Abstract and para. [0002]). In Samuel, an application distribution system can further address files for distribution to endpoints in a manner that does not require those files to be individually addressed (para. [0036]). Furthermore, Samuel defines “an endpoint as a suitable processor platform, such as a laptop computer, a desktop computer, a workstation, a handheld device, a peripheral component, such as scanner, printer, copy machine, fax machine, or other suitable system having a processor” (para. [0027]). In contrast, Applicant’s Claim 1 recites “each context is transparent to its respective node or set of nodes and is selectively opaque to one or more other pub-sub system nodes”. Thus, Samuel does not disclose the recited features.

Goodman does not compensate for the deficiencies of Samuel. Goodman is directed towards interactive electronic messages published through a pub/sub service (Title and Abstract). While there is mention of a pub-sub service, there is no mention of endpoint reference having contexts in Goodman. Thus, Goodman does not provide what is missing from Samuel to support a §103 rejection.

Samuel and Goodman, alone or in combination, do not teach or suggest “*encapsulating two or more contexts into the endpoint reference, wherein a first context in the endpoint reference referring to a first node or set of nodes of the pub-sub system and being decodable by the first node or set of nodes, but not decodable by one or more other nodes of the pub-sub system, a second context in the endpoint reference referring to a second node or set of nodes of the pub-sub system and being decodable by the second node, but not decodable by one or more other nodes of the pub-sub system; and whereby each context is transparent to its respective node or set of nodes and is selectively opaque to one or more other pub-sub system nodes*”, as recited in Claim 1. Accordingly, Applicant submits that the evidence relied upon by the Office does not support the rejections made under §103(a).

Modification Renders Primary Reference Unsatisfactory for Intended Purpose

Second, the MPEP states, “if proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification” (MPEP §2143.01 V.) For example, using Goodman’s pub-sub system in Samuel would render Samuel unsatisfactory for its intended purpose. In particular, the system of Samuel would be rendered unsatisfactory in optimizing

the use of bandwidth and resources when distributing software, if modified by the teachings of Goodman's pub-sub system. In addition, the system of Goodman would be rendered unsatisfactory for interactive users to subscribe and publish by way of a pub-sub channel, since the proposed modification would not be distributing software in two or more channels (as in Samuel) or providing a way for interactive users to subscribe and publish (as in Goodman). Therefore, the modification presented would render Samuel and Goodman inoperable. Thus, there can be no motivation to combine the references as proposed.

Applicant submits that the references relied upon by the Office does not support the rejections made under §103(a). Applicant respectfully requests that the §103 rejection be withdrawn.

**Independent Claims 8, 16, and 24** have been amended and are directed to a computer-readable media and computing devices, and each is allowable for reasons similar to those discussed above with respect to Claim 1.

**Dependent claims 2-7, 9-15, 17-23, and 25-30** depend directly or indirectly from one of independent Claims 1, 8, 16, and 24 and are allowable by virtue of this dependency. These claims are also allowable for their own recited features that, in combination with those recited in Claim 1, are not taught, or suggested by Samuel or Goodman.

Applicant respectfully submits that the cited references do not render the claimed subject matter obvious and that the claimed subject matter, therefore, patentably distinguishes over the cited references. For all of these reasons, the §103(a) rejection of these claims is improper and should be withdrawn.

**Conclusion**

Claims 1-30 are in condition for allowance. Applicant respectfully requests reconsideration and allowance of the subject application. If any issue remains unresolved that would prevent allowance of this case, Applicant requests that the Office contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

Lee & Hayes, PLLC  
421 W. Riverside Avenue, Suite 500  
Spokane, WA 99201

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By: Shirley Lee Anderson  
Shirley Lee Anderson  
Reg. No. 57,763  
(509) 324-9256 ext. 258